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REMARKS

Claims 1-82 are currently pending in the present patent application. Reconsideration and allowance of the application is respectfully requested in view of the following remarks.

Claim rejections – 35 USC §112

In paragraph 1 of the report, the Examiner rejected claim 49 for being indefinite under 35 U.S.C. §112.

Claim 49 is canceled without prejudice made to applicant.

Claim rejections – 35 USC §103

In paragraph 2 the report, the Examiner rejected claims 1-3, 6, 10, 16-17, 20, 22-24, 26, 28-30, 33, 35, 42, 43-47, 50-60, 63, 65, 68-69, 73, 75, 78-79 and 81 under 35 U.S.C. §103(a) as being unpatentable over US Patent application No. 2004/0095939 (hereinafter referred to as Yang).

Claims 28-30, 33, 35, 42, 43-47, 50-60, 63, 65, 69 and 81 are canceled without prejudice made to Applicants.

Claims 1, 20, 68, 75 and 79 are amended.

The invention of claim 1 is a method of transmitting data packets over a synchronous wireless link. The method verifies if a target value has been reached or not. If the target value has not been reached, a headerless data packet is sent on the wireless link. If the target value has been reached, the method verifies if a data packet payload size is above a maximal payload size. Following this, the method determines if the payload permits transmission of the data packet with or without a header. If the payload permits transmission of a header with the data packet, the method transmits the data packet with the header. If the payload is above a maximal payload size, the method transmits a headerless data packet and an associated a sequential timer-based value and resets the

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timer reset until the data packets is determined to be below the maximal payload size and further is sent with its header.

Yang relates to a method and wireless packet switching telecommunications network for using RTP agents at the compression and decompression points, and sending voice packets without headers over network. The compression state of a voice packet header can be established by sending call setup information over an out-of-band channel between compression points in a mobile station and in the network. In Yang, the packet containing voice data can be provided with compressed or removed RTP/UDP/IP headers.

However, Yang does not disclose or teach a method for transmitting data packets over on a wireless link. Yang does not disclose that a verification is made for a data packet payload size following a determination that a target value has been reached for a timer. Consequently, Yang does not disclose a method for transmitting a headerless data packet only if the payload is above a maximal payload size. Yang merely discloses that a header is not sent based on a determination that extra header information cannot be sent together with speech data (see paragraphs 0091 to 0094), but does not teach a method for sending the header. For these reasons, Yang cannot possibly teach a method for transmitting a headerless data packet and an associated sequential timer-based value and resetting a timer until the data packets is determined to be below a maximal payload size and further is sent with its header as claimed.

Since Yang does not describe the claimed invention, they cannot be combined for rendering obvious the invention of independent claim 1. Furthermore, independent claim 68 is a node claim, which corresponds to the method of independent claim 1. Therefore, independent claim 68 is believed patentable for the same reasons provided in support of independent claim 1. Claims 1, 6, 10, 16-17, 20, 22-24, 26, 73, 75, 78-79 and 81, which depend directly or ultimately from independent claims 1 and 68, while adding further limitations thereto are also believed patentable for the same reasons provided in support of independent claims 1 and 68.

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In paragraph 3 of the report, the Examiner rejected claims 4, 13, 25, 27, 31, 39, 48, 66, 70 and 82 under 35 U.S.C. §103(a) as being unpatentable over Yang in view of Hiller et al. "Good Enough Header Compression" (hereinafter referred to as Hiller).

Claims 31, 39, 48, 66 and 82 have been canceled without prejudice made to Applicants.

Claims 4 and 70 are amended.

Hiller describes a method for header compression in a packet data network. The method of Hiller uses algorithms and a compressor for reducing the IP/UDP/RTP overhead to one or two bytes. This results in a transparent compression and allows additional header bytes to be sent over an air interface (IP layer). Furthermore, the decompression of compressed data packets sent in the network of Hiller is based on timestamps, which are created by the decompressor (see p. 8). The timestamps determine when data packets having a header are to be sent on an IP layer.

However, Hiller does not disclose nor teach a flexible header update technique, but instead Hiller requires a strict time period (Hiller: timestamp, p. 8) at which data packets having a header are sent. Hiller does not disclose a target value that allows checking a size of a payload prior to sending the header with the data packet, even though a fix time period has been reached. More particularly, Hiller does not teach that a size of a payload permits/restricts a header of a data packet to be sent on a wireless link.

Since Yang and Hiller do not describe the claimed invention, they cannot be combined for rendering obvious the invention of independent claims 1 and further to the invention of independent claim 68. Consequently, claims 4, 13, 25, 27, 70 and 82, which depend directly or ultimately from independent claims 1 and 68, while adding further limitations thereto are believed patentable for the same reasons provided in support of independent claims 1 and 68.

In paragraph 4 the report, the Examiner rejected claims 17-19, 21, 34, 36, 41, 62, 67, 74 and 77 under 35 U.S.C. §103(a) as being unpatentable over Yang in view of US Patent No. 6,882,637 (hereinafter referred to as Le).

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Claims 34, 36, 41, 62 and 74 and 77 are canceled without prejudice made to Applicants.

Claim 17 is amended.

Le relates to a system and method for sending compressed headers in data packets between a transmitter and a receiver having a preferred wireless application. The system comprises a transmitter for transmitting a plurality of packets each containing a header to a receiver. Le synchronizes the transmission of compressed headers between the transmitter and receiver in accordance transmitting a current packet from the transmitter to the receiver containing information that the transmitter is sending further data packets with compressed headers.

Le is merely a system and method for sending compressed headers for data packets. For that reason Le does not teach a method for transmitting a *headerless data packet over a synchronous wireless link*. More particularly, Le cannot possibly teach a method for verifying a data packet payload size and only transmitting the headerless if the payload is above a maximal payload size and this following a determination that a target value has been reached for a timer. For these reasons, Le cannot possibly teach a method for transmitting a headerless data packet and an associated, a sequential timer-based value and resetting a timer until the data packets is determined to be below a maximal payload size and further is sent with its header as claimed.

Since Yang and Le do not describe the claimed invention, they cannot be combined for rendering obvious the invention of claim 1 and further the invention of claim 68. Consequently, claims 17-19, 21, 74 and 77, which depend directly or ultimately from claims 1 and 68, while adding further limitations thereto are believed patentable for the same reasons provided in support of independent claims 1 and 68.

In paragraph 5 the report, the Examiner rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Yang in view Hiller and further in view of Le.

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Since Yang, Hiller and Le do not describe the claimed invention, they cannot be combined for rendering obvious the invention of claim 1 and further the invention of claim 68. Consequently, claim 14, which depends directly or ultimately from claims 1 and 68, while adding further limitations thereto is believed patentable for the same reasons provided in support of independent claims 1 and 68.

Allowable Subject Matter

In the report, the Examiner objected to claims 5, 11-12, 15, 18-19, 32, 37-38, 40, 61 and 76 for being dependent upon a rejected base claim. However, the Examiner mentioned that these claims would be allowable if rewritten in an independent form including all limitations of the base claim and any intervening claims.

Claims 32, 37-38, 40, 61 and 76 have been canceled without prejudice made to Applicants.

Claim 15 is amended.

Independent claims 1 and 68 have been amended and are believed patentable as argued above. Claims 5, 11-12, 15, 18-19, 32, 37-38, 40 and 61, which depend directly or ultimately from claims 1 and 68, while adding further limitations thereto are believed patentable for the same reasons provided in support of independent claims 1 and 68. Therefore, they do not need to be rewritten.

In view of the abovementioned remarks, Applicants respectfully request favourable action for all pending claims.

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CONCLUSION

Should the Examiner wish to discuss about the amendment or patent application, he is invited to contact the undersigned at (514) 345-7900 ext. 2596.

Date: _____

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Respectfully submitted,



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